

REMARKS

Claims 1-43 are pending. An Office Action mailed December 30, 2004 indicated an election to a previous restriction requirement and rejected Claims 1-2, 4, 12, and 27 under 35 U.S.C. § 102(b). For purposes of this Response, Applicant assumes without prejudice that claim 27 is also rejected on the same grounds. Claims 3, 5-11, 13-43 have been withdrawn from further consideration pursuant to 37 C.F.R. §1.142(b). An objection was also made to the drawings under 37 CRF §1.83(a).

By way of this Amendment, Applicant hereby submits formal drawings, including amended Figs. 4 and 5, and amends independent Claim 1. Pursuant to 37 C.F.R. §1.111, Applicant hereby respectfully requests reconsideration and allowance of the application.

ELECTION/RESTRICTION REQUIREMENT

The Office Action indicated an election of Claims 1, 2, 4, 12, 14, 15, 17, 25, and 27 and Figs. 4-5. Claims 1, 2, 4, 12, and 27 were found to be readable as to the elected species and Claims 3, 5-11, 13-43 were withdrawn from further consideration. Except that Claim 27 appears to be erroneously listed as withdrawn, applicant hereby confirms that election, without traverse.

OBJECTION OF ELECTED DRAWINGS 4-5 UNDER 37 C.F.R. §1.83

The Office Action objected to the drawings under 37 C.F.R. §1.83(a) as not showing sufficient details. Specifically, the objections are directed towards elected Figs. 4-5. The Office Action objects to the drawings on the basis that the drawings do not sufficiently disclose what is claimed in Claim 2, an adhesive that is applied between the second portion and the support structure. Applicant hereby submits amended drawings illustrating the features of the recited claim. Applicant hereby submits that Figs. 4-5 shows sufficient detail. No new matter has been added.


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REJECTION OF CLAIMS 1, 2, 4, AND 12 UNDER 35 U.S.C. § 102

The Office Action rejected Claims 1-2, 4, and 12 as being anticipated by Dragovic U.S. Patent No. 6,195,811. The Office Action states that Dragovic discloses a first portion capable of supporting a product; a second portion which includes a separation component configured to separate the second portion from a support structure by a predefined amount, wherein the predefined amount allowed an adhesive layer that is applied between the second portion and support structure; that the separation component includes a plurality of dimples; and that the bracket may be formed by molding or extruding. With regard to amended independent Claim 1, Applicant hereby respectfully traverses the rejection.

Applicant submits that Dragovic does not disclose, teach, or fairly suggest the utility bracket taught by the Applicant. Dragovic teaches a cover lifter attachment device 17 positioned so as to facilitate secure attachment of associated cover lifter componentry to the cover section 11 (col. 2, lines 10-13). Applicant submits that Dragovic is directed to attachment devices that comprise of interface brackets that *position* and *guide* into a side surface (col. 2, lines 34-50; Fig. 7). Further, Dragovic discloses dimples 25, 27 that may have conically shaped segment 31 *leading* to a flat circular portion 33 (col. 2, lines 21-22) and that the dimples are received within a dimple receptor/cavity 26 as illustrated in Fig. 7, thus forming a direct attachment between the base surface of the bracket and the support structure.

Applicant submits that the Dragovic fails to teach or suggest a utility bracket having a separation component for separating a second portion from a support structure, as taught by the Applicant. Thus, amended independent Claim 1 is allowable over the cited reference. Because Claims 2, 4 and 12 depend from allowable amended independent Claim 1, they are allowable for the same reasons that make their corresponding independent claim allowable. In addition, because independent Claim 27 is similar to independent claim 1, Claim 27 is also allowable.


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REJECTION OF CLAIMS 1, 2 AND 12 UNDER 35 U.S.C. § 102

The Office Action rejected Claims 1, 2, 12 and 27 as being anticipated by Hara et al., U.S. Patent No. 4,566,924 (hereinafter Hara). The Office Action states that Hara discloses a fixation of a stud on a work piece comprising a first portion capable of supporting a product; a second portion including a separation component, configured to separate the second portion from a support structure by a predefined amount based on an adhesive applied between the second portion and the support structure; and that the bracket can be formed by molding or extruding. With regards to amended independent Claim 1, Applicant respectfully traverses the rejection.

Applicant submits that Hara does not disclose, teach or fairly suggest the utility bracket taught by the applicant. Specifically, Hara is directed towards a plastic stud 1 possessing a shank 2 and a fitting base 3 provided at one of the shank 2. (col. 2; lines 38-40; Figs. 4-8). Hara discloses a separation component 3, 7, 7', 7a, and 8 wherein the separation component surrounds the entire length of the boundary edge (Figs. 1-8).

Applicant submits that Hara fails to teach, disclose or suggest a utility bracket wherein the separation component is not formed along an entire length of a boundary edge. Therefore, Applicant submits that amended independent Claim 1 is allowable over the cited references. Because Claims 2 and 12 depend from allowable independent Claim 1, they are allowable for the same reasons that make their corresponding independent claim allowable. In addition, because independent Claim 27 is similar to independent claim 1, Claim 27 is also allowable.

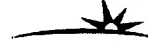
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CONCLUSION

Applicant respectfully submits that all of the claims and drawings of the pending application are now in condition for allowance over the cited references. Accordingly, Applicant respectfully requests withdrawal of the rejections, allowance, and early passage through issuance. If the Examiner has any questions, the Examiner is invited to contact the Applicant's agent listed below.

Respectfully submitted,

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MAIL CERTIFICATE

I hereby certify that this communication is being deposited with the United States Postal Service via first class mail under 37 C.F.R. § 1.08 on the date indicated below addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

March 30, 2005
Date of Deposit


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